

# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
- - -

SERGIO L. RAMIREZ, on behalf :  
of himself and all others :  
similarly situated, :  
:  
Plaintiff, :  
:  
vs. : Case No.  
: 3:12cv00632-JSC  
:  
TRANS UNION, LLC, :  
:  
Defendant. : ORIGINAL  
- - -

Videotaped deposition of SEAN L. WALKER, taken  
at the law offices of Francis & Mailman, P.C., Land  
Title Building, 19th Floor, 100 South Broad Street,  
Philadelphia, Pennsylvania, on Wednesday, September  
12, 2012, commencing at 10:02 a.m., before Andrea M.  
Brinton, Certified Court Reporter and Notary Public.

- - -  
SUMMIT COURT REPORTING, INC.  
Certified Court Reporters and Videographers  
1500 Walnut Street, Suite 1610  
Philadelphia, Pennsylvania 19102  
424 Fleming Pike, Hammonton, New Jersey 08037  
(215) 985-2400 \* (609) 567-3315 \* (800) 477-8648  
www.summitreporting.com

SEAN L. WALKER

1 APPEARANCES:

2 FRANCIS & MAILMAN, P.C.  
3 BY: JAMES A. FRANCIS, ESQUIRE  
4 Land Title Building  
5 19th Floor  
6 100 South Broad Street  
7 Philadelphia, Pennsylvania 19110  
8 (215) 735-8600  
9 Counsel for Plaintiff

10 STROOCK & STROOCK & LAVAN, LLP  
11 BY: STEPHEN J. NEWMAN, ESQUIRE  
12 2029 Century Park East  
13 Los Angeles, California 90067-3086  
14 (310) 556-5800

15 and  
16 SHERMAN, SILVERSTEIN, KOHL, ROSE & PODOLSKY, P.A. &  
17 BY: BRUCE S. LUCKMAN, ESQUIRE  
18 308 Harper Drive  
19 Moorestown, New Jersey 08057  
20 (856) 663-1503  
21 Counsel for Defendant

22 ALSO PRESENT:  
23 Phillip Roller - Video Technician  
24

SEAN L. WALKER

1 A. No --

2 Q. Okay.

3 A. -- not --

4 Q. You just heard your answer read back, okay,  
5 about what changed in January of 2011. Is it your  
6 testimony that starting in January of 2011 TransUnion  
7 began disclosing OFAC information on the consumer  
8 file disclosure that it would send to consumers?

9 MR. NEWMAN: Objection.

10 You can answer the question.

11 THE WITNESS: TransUnion began  
12 disclosing to consumers the OFAC  
13 information.

14 BY MR. FRANCIS:

15 Q. I understand. On the disclosure that it  
16 would send to consumers?

17 MR. NEWMAN: Objection, calls for  
18 a legal conclusion.

19 Go ahead.

20 THE WITNESS: Not on the  
21 disclosure -- not in the same envelope as  
22 the typical disclosure that we had sent  
23 previous to January 2011.

24 BY MR. FRANCIS:

SUMMIT COURT REPORTING, INC.

215.985.2400 \* 609.567.3315 \* 800.447.8648 \* www.summitreporting.com

## SEAN L. WALKER

1 Q. So if a consumer asked for a copy of -- of  
2 their credit report or consumer file disclosure, as  
3 we talked about before, starting in January of 2011,  
4 when TransUnion would send them a copy of the file  
5 disclosure, that report would not have the OFAC  
6 information on it; correct?

7 A. Correct.

8 Q. Okay. Did there ever come a time when  
9 TransUnion began disclosing the OFAC information on  
10 the report it sent to consumers?

11 A. Yes.

12 Q. When did that go into effect?

13 A. January -- or sorry. Excuse me.  
14 July 26th, 2011.

15 Q. Now, looking at the time frame from January  
16 of '11 up through and prior to July of 2000 -- July  
17 of 2011, I want to ask you questions about that time  
18 frame; okay?

19 A. Okay.

20 Q. How did TransUnion begin disclosing OFAC  
21 information to consumers who requested a copy of  
22 their file disclosure?

23 A. When a consumer would request a copy of  
24 their disclosure, TransUnion would send the -- what

## SEAN L. WALKER

1 would have been the disclosure previous to  
2 January 2011, along with a letter to the consumer  
3 notifying them if there was a potential match to OFAC  
4 information.

5 Q. Okay. So it would disclose the OFAC  
6 information by way of a letter; correct?

7 A. Correct.

8 Q. All right. And that letter was sent  
9 separately from the credit report or file disclosure  
10 that TransUnion would send to a consumer; correct?

11 A. Correct.

12 Q. All right. How soon in time would the  
13 letter go out compared to when the report would go  
14 out?

15 A. Typically, the same day it would be  
16 printed.

17 Q. Okay. What would cause the letter to go  
18 out in a particular case?

19 A. What would cause the OFAC to be returned?

20 Q. Well, let me back up, let's -- so we're on  
21 the same page here. What do you call the letter that  
22 TransUnion began sending in January of '11? Let's  
23 come up with a term for that. What was that letter  
24 called?

## SEAN L. WALKER

1 Q. Yes, start sending the OFAC letters to  
2 consumers.

3 A. Again, I don't know why the decision was  
4 made or what -- what caused that decision to have  
5 that outcome. From what I understand, there was --  
6 there was a case where there was a ruling that we  
7 should disclose that information, and so that's what  
8 we did.

9 Q. Okay. And what do you base that on?  
10 Somebody told you who said that or at meetings or  
11 how -- what do you base that -- that testimony on?

12 A. Again, I'm not sure I remember a specific  
13 conversation. I'm sure it was involved in the  
14 meetings and the discussions surrounding the  
15 implementation approach for OFAC.

16 Q. Okay. Why did you send a separate letter?  
17 Why didn't you just include it on the consumer file  
18 disclosure?

19 A. To implement it as soon as we could.

20 Q. And that's something that couldn't happen  
21 quickly? Is that your testimony?

22 A. It's -- it was -- the quickest approach was  
23 to be able to disclose the information, and the  
24 quickest way to disclose the information was in a

## SEAN L. WALKER

1 letter.

2 Q. Okay. Was there a -- was there discussion  
3 about how long it would take to have the OFAC  
4 information disclosed on the file disclosure?

5 A. Yes.

6 Q. And how long was that going to take?

7 A. The -- the initial estimates were that it  
8 would take upwards of a year to get the information  
9 contained in the disclosure, so the most  
10 consumer-friendly approach that we could take was to  
11 be able to disclose the information as -- as part of  
12 a letter to the consumer.

13 Q. Now, would I be correct in stating, based  
14 upon what you testified today, that from January of  
15 '11 through July 26th of 2011, if TransUnion  
16 disclosed any OFAC information to a consumer, it was  
17 through the letter?

18 A. Correct. It was -- yeah.

19 Q. Okay. During that time there were no  
20 reports -- no consumer file disclosures which  
21 contained the OFAC information; correct?

22 A. Correct.

23 Q. Now, what happened on -- on July 26th,  
24 2011? What new change in the system went into



SEAN L. WALKER

1 A. They couldn't have included that  
2 information in the disclosure, correct.

3 Q. Right. Is there any technical reason that  
4 you know of, from an infrastructure or a technology  
5 standpoint, that would have prevented them from doing  
6 so had they been given the information in 2010 or  
7 2009?

8 MR. NEWMAN: Objection, incomplete  
9 hypothetical.

10 But go ahead and answer.

11 BY MR. FRANCIS:

12 Q. You can answer.

13 A. So there's a lot of reasons that would have  
14 prevented that, but the easiest answer to the  
15 question is, no, previous to January 2011 they would  
16 not have technically been able to do that.

17 Q. Because they weren't given the information  
18 from TransUnion; correct?

19 A. Because of the way that the information was  
20 being sent from TransUnion, as well as the  
21 infrastructure that had been established at the print  
22 vendor.

23 Q. Right. Is there any reason that that  
24 infrastructure, the changes that went into effect in

SEAN L. WALKER

1 July of 2011, couldn't have been made earlier?

2 A. Yes. The infrastructure at the print  
3 vendor was not complete to be able to perform that  
4 process until July of 2011.

5 Q. Right. And the change that the print  
6 vendor made in 2011 was at TransUnion's request;  
7 correct?

8 A. Yes.

9 Q. Is there any reason that you know of that  
10 TransUnion could not have made that request to them  
11 earlier than 2011?

12 MR. NEWMAN: Objection, incomplete  
13 hypothetical, misstates testimony.

14 Go ahead.

15 THE WITNESS: There were technical  
16 limitations outside of the request from  
17 TransUnion to make a change to allow for the  
18 setup and processing of merging the  
19 information together.

20 BY MR. FRANCIS:

21 Q. Right.

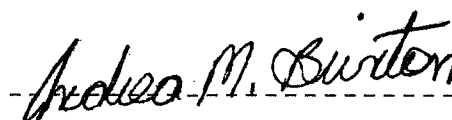
22 A. So in addition to the process of merging  
23 that information, there was also changes to the  
24 composition of the disclosure, which occurred after

SEAN L. WALKER

## CERTIFICATION

- - -

I hereby certify that the testimony and the proceedings in the foregoing matter are contained fully and accurately in the stenographic notes taken by me, and that the copy is a true and correct transcript of the same.

A handwritten signature in cursive script that reads "Andrea M. Brinton". The signature is written over a horizontal dashed line.

Andrea M. Brinton, Certified  
Court Reporter and Notary Public

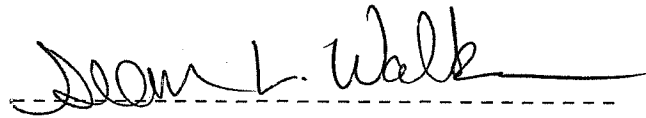
The foregoing certification does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.

SEAN L. WALKER

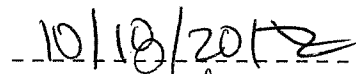
## SIGNATURE PAGE

I hereby acknowledge that I have read the  
aforegoing transcript, dated September 12, 2012, and  
the same is a true and correct transcription of the  
answers given by me to the questions propounded,  
except for the changes, if any, noted on the errata  
sheet.

SIGNATURE: \_\_\_\_\_

  
SEAN L. WALKER

DATE: \_\_\_\_\_



WITNESSED BY: \_\_\_\_\_

